

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference P867PC00	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/DK 03/00935	International filing date (day/month/year) 23/12/2003	(Earliest) Priority Date (day/month/year) 23/12/2002
Applicant UNISENSE A/S		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 7 sheets.
☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :
- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☒ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No. 1

- ☐ as suggested by the applicant. ☐ None of the figures.
- ☒ because the applicant failed to suggest a figure.
- ☐ because this figure better characterizes the invention.

INTERNATIONAL SEARCH REPORT

International application no.
PCT/DK 03/00935

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 60-61
because they relate to subject matter not required to be searched by this Authority, namely:
see FURTHER INFORMATION sheet PCT/ISA/210
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☒ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

☐ The additional search fees were accompanied by the applicant's protest.

☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Claims Nos.: 60-61

The method according to claims Nos 60-61 seems to lack specific technical features and can be executed without technical aids or means. The method can also be performed by purely mental act and therefore the method according to claims Nos 60-61 does not fulfil what is required by PCT Rule 39 (iii).

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-47,49-59,62-70

Claims 1-47, 49-59 and 62-70 regarding a device and a method for non-invasive measurement of an individual metabolic rate

2. Claim : 48

Claim 48 regarding a method for regulating metabolite supply to a metabolizing particle during culturing

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A. CLASSIFICATION OF SUBJECT MATTER
 IPC 7 G01N33/497 A61B5/083 //C12N5/12,C12N5/06

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
 IPC 7 G01N A61B C12N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, MEDLINE, WPI Data, PAJ, INSPEC, BIOSIS

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
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3	X	EP 1 134 583 A (TNO) 19 September 2001 (2001-09-19) paragraph [0016] - paragraph [0023] abstract	48
	A		1-47, 49-59, 62-70
9	A	EP 0 448 923 A (AVL PHOTRONICS CORP) 2 October 1991 (1991-10-02) page 11, line 7 - line 35; figures 1,2A abstract	1-59, 62-70

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance
 "E" earlier document but published on or after the international filing date
 "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
 "O" document referring to an oral disclosure, use, exhibition or other means
 "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

16 April 2004

Date of mailing of the international search report

15 JUNI 2004

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Anna Malmberg

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
2	A SHIKU H ET AL: "Oxygen consumption of single bovine embryos probed by scanning electrochemical microscopy." ANALYTICAL CHEMISTRY. UNITED STATES 1 AUG 2001, vol. 73, no. 15, 1 August 2001 (2001-08-01), pages 3751-3758, XP002277137 ISSN: 0003-2700 the whole document	1-59, 62-70
2	A TRETNAK W ET AL: "Optical oxygen sensor instrumentation based on the detection of luminescence lifetime." ADVANCES IN SPACE RESEARCH: THE OFFICIAL JOURNAL OF THE COMMITTEE ON SPACE RESEARCH (COSPAR). ENGLAND 1998, vol. 22, no. 10, 1998, pages 1465-1474, XP002277138 the whole document -----	1-59, 62-70

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
EP 1134583	A	19-09-2001	EP 1134583 A1	19-09-2001
			AU 4484601 A	24-09-2001
			CA 2403253 A1	20-09-2001
			EP 1264176 A1	11-12-2002
			WO 0169243 A1	20-09-2001
			US 2004033575 A1	19-02-2004

EP 0448923	A	02-10-1991	AT 132537 T	15-01-1996
			DE 69024631 D1	15-02-1996
			DE 69024631 T2	19-09-1996
			EP 0448923 A1	02-10-1991
			US 5372936 A	13-12-1994
